



6-22-04

AR11646

Patent Docket P1101P2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Avi J. Ashkenazi et al. Serial No.: 09/396,710 Filed: September 15, 1999 For: APO-2 RECEPTOR ANTIBODIES	Group Art Unit: 1646 Examiner: Kaufman, C. Confirmation No: 7837 Customer No: 09157
<p align="center">CERTIFICATE OF EXPRESS MAILING</p> <p>Express Mail Number: EV 351 930 255 US</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450".</p> <p align="right">June <u>21</u>, 2004 <i>Diane L. Marschang</i> Diane L. Marschang</p>	

TRANSMITTAL LETTER

Mail Stop Amendme
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

1. Supplemental Information Disclosure Statement (dup);
2. Form PTO-1449 with 1 Reference;
3. Return postcard.

In the event any additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to our Deposit Account No. 07-0630.

Respectfully submitted,

GENENTECH, INC.

Date: June 21, 2004

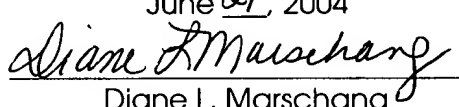
By: *Diane L. Marschang*
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#158006



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

(X) **37 CFR §1.97(d)**

1. after the period specified in 37 CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) and a statement as specified in 37 CFR §1.97(e), as checked below.

(If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.)

06/24/2004 JBALINAN 00000114 070630 09396710

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- ☐ **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) and/or publication(s) is set forth on the attached revised Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s) (Required)
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

Date: June 21, 2004

By: *Diane L. Marschang*

Diane L. Marschang

Reg. No. 35,600

Telephone No. (650) 225-5416

#158003



FORM PTO-1449

U.S. Dept. of Commerce
Patent and Trademark Office

Atty Docket No.

P1101P2

Serial No.

09/396,710

LIST OF DISCLOSURES CITED BY APPLICANT

(Use several sheets if necessary)

Applicant

Ashkenazi et al.

Filing Date

15 Sep 1999

Group

1646

U.S. PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	1	6,743,625	01.06.04	Ni et al.			

Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.